

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

BLOOMFIELD EQUITY PARTNERS,
L.L.C.,

Case No. 09-12219

Honorable John Corbett O'Meara

Debtor.

THOMAS D. CARROLL and KATHLEEN A.
JENKINS,

Appellants,

v.

JEFFREY HAUSWIRTH and TAMMY
MONCRIEF,

Appellees.

**ORDER DENYING APPELLANTS' APPEAL AND
AFFIRMING BANKRUPTCY COURT'S ORDER**

This matter came before the court on appellants Thomas D. Carroll and Kathleen A. Jenkins' June 30, 2009 appeal of the bankruptcy court's order that Appellants lacked standing as creditors to file an involuntary bankruptcy petition against Bloomfield Equity Partners pursuant to 11 U.S.C. § 303(b), and that Appellants' filing of the petition was in bad faith. Appellees filed a response brief July 15, 2009. No oral argument was heard.

A district court reviews a factual determination made by a bankruptcy court to decide whether the determination was clearly erroneous. In re Perlin, 30 F.3d 39, 40 (6th Cir. 1994). In this case there was ample evidence to support the bankruptcy court's determinations. Accordingly, the court will affirm the order of the bankruptcy court.

ORDER

It is hereby **ORDERED** that the determinations of the bankruptcy court are **AFFIRMED** and that this appeal is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: August 28, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 28, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager